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FILED
DISTRICT COURT OF GUAM
MAY 27 2004
MARY L. M. MORAN
CLERK OF COURT

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8 Attorneys for Plaintiff Shell Guam, Inc.

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF GUAM

12 SHELL GUAM, INC.,
13 a Guam corporation,

14 Plaintiff,

15 vs.

16 F/V PALAU MARU NO. 1,

17 Defendant,

18 and

19 RRG INTERNATIONAL, INC.,
20

21 Plaintiff-in-Intervention.
22

CIVIL CASE NO. CIV03-000029

~~PROPOSED~~

ORDER OF SALE OF DEFENDANT
VESSEL F/V PALAU MARU NO. 1
BY PLAINTIFF SHELL GUAM, INC.

23 This matter having come before this Court without hearing upon the Application for Order
24 of Sale by Plaintiff Shell Guam, Inc. with respect to Defendant Vessel F/V Palau Maru No. 1, and
25 the Default against Defendant Vessel F/V Palau Maru No. 1 having been entered on March 23,
26 2004, Final Judgment by Default having been entered in this action against Defendant Vessel F/V
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ORIGINAL

Palau Maru No. 1, now, upon application by Plaintiff Shell Guam, Inc. and previously agreed to by Plaintiff-in-Intervention RRG International, Inc., and upon review of the pleadings and papers on filed herein it is hereupon

ORDERED that:

1. That Defendant Vessel F/V Palau Maru No. 1 is hereby ORDERED TO BE SOLD.
2. That the United States Marshal Service is hereby ORDERED AND DIRECTED to sell Defendant Vessel F/V Palau Maru No. 1 upon the following terms and conditions:
 - a. That said Marshal shall sell Defendant Vessel F/V Palau Maru No. 1 at the steps of the District Courthouse at the hour of **2:00 o'clock p.m.** on the first date convenient to the United States Marshal's Service, after publication of the Notice of United States Marshal's Sale as provided by the rules of this Court. This Court finds that pursuant to LAR 14(a) that due to the urgency of this situation and the impracticability of it that Notice shall be published in the Pacific Daily News, a newspaper of general circulation in Guam USA, for ~~one (1)~~ ^{three (3)} days before the date of sale.
 - b. That said Marshal, at the request of any interested person, grant permission to said person or his representative to visit, board, inspect, examine and survey the Defendant Vessel F/V Palau Maru No. 1 during the daylight hours of 9:00 a.m. and 4:00 p.m., provided that the same shall be done at the sole expense and risk of any said person or his representative. Any such inspection to be arranged through Oceaneer Enterprises, Inc..


c. That the Marshal is hereby authorized to accept a deposit of ten percent (10%) of the amount of the bid for Defendant Vessel F/V Palau Maru No. 1, upon the condition that the balance of the bid is paid as provided in Local Admiralty Rule 14(b) and upon condition that the deposit shall be forfeited by the bidder and applied to the costs of this action, if the balance of the bid is not paid when due. The amounts shall be held by the Marshal pending further order of this Court.

d. That Plaintiff Shell Guam, Inc. is hereby authorized to bid up to the amount of its Judgment, as well as their costs including custodial expenses incurred or to be incurred and attorneys fees and costs, and Plaintiff Shell Guam, Inc. shall not be required to make any deposit to secure its bid, pending confirmation of sale.

e. Plaintiff Shell Guam, Inc. has filed an Affidavit and Supplemental Affidavit of its costs with the Court as provided by Local Admiralty Rule 14(b) establishing the maximum credit bid.

f. The sale of Defendant Vessel F/V Palau Maru No. 1 shall be subject to all liens and the United States Marshal shall so state in the Notice of United States Marshal's Sale and at the time of sale.

SO ORDERED IN CHAMBERS at Hagåtña, Guam USA this 27th day of **MAY 2004**.


HONORABLE JOAQUIN V.E. MANIBUSAN, Jr.
Designated Judge, District Court of Guam

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MAY 26 2004

DISTRICT COURT OF GUAM
HAGATNA, GUAM